

POLICY LETTER

DATE 7 JUL 99

OPR DEMA-TAG

**SUBJECT: Americans With Disabilities Act
(ADA)--Grievance Procedure**

**REGULAR POLICY LETTER DISTRIBUTION
(POLICY LETTER 10.01)**

It is the policy of the Arizona Department of Emergency and Military Affairs (DEMA) not to discriminate, for any reason, against anyone for admission to, access to, or operation of its programs, services, or activities. DEMA has adopted it's grievance procedure to meet the Americans with Disabilities Act (ADA) requirements. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in employment practices and policies, the provision of services, activities, programs, or benefits by DEMA.

The Adjutant General will appoint the ADA Coordinator, an individual with a disability and a representative from Facility Maintenance Office as members of the Grievance Committee. Other members may be added to the committee as The Adjutant General deems necessary.

Most problems or complaints can be solved by clarification of rules or services between the parties involved. If this discussion does not resolve the complaint or problem in a way that is satisfactory to all parties, the following procedure will be implemented. The time limits at each step will be adhered to unless an extension is granted in writing by The Adjutant General with concurrence of the complainant when good cause is shown.

PROCEDURE

1. The complaint should be filed in writing and contain information about the alleged discrimination such as name, address, telephone number of complainants and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.
2. The complaint should be submitted by the grievant and/or his/her designee preferably within five working days, but no later than 60 calendar days after the alleged violation. It should be directed to:

Arizona Department of Emergency & Military Affairs
ADA Coordinator (SEEM)
5636 East McDowell Road
Phoenix, AZ 85008-3495
Phone (602) 267-2786


3. Within 15 working days after receipt of the complaint, the ADA Coordinator will meet with the complainant to discuss the complaint and possible resolutions. An inquiry, as may be appropriate, shall follow the filing of a complaint. The inquiry shall be conducted by the ADA Grievance Committee, who will produce a written determination as to the validity of the complaint.

(continued on next page)

4. Within 15 working days after meeting with the complainant the ADA Grievance Committee will submit its findings to all parties involved. The findings will be in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape.

5. If the complaint cannot be satisfied, the Arizona Office for Americans with Disabilities will then be notified and will act as arbitrator between DEMA and the grievant.

All written complaints, appeals and responses will be kept for at least three years.


DAVID P. RATACZAK
Major General, AZ ARNG
The Adjutant General